

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Cheetah Omni LLC,

Plaintiff,

vs.

Alcatel-Lucent USA Inc., et al.

Defendants.

HONORABLE LEONARD DAVIS

Case No. 6:11CV390

JURY TRIAL DEMANDED

CHEETAH'S PROPOSED FORM OF VERDICT

In answering these questions, you are to follow all of the instructions I have given you in the Charge of Court.

1. Did Cheetah prove by a preponderance of the evidence that Tellabs infringed any of the asserted claims of the '459 Patent listed below?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 14: _____

Claim 15: _____

Claim 16: _____

Claim 17: _____

2. Did Tellabs prove by clear and convincing evidence that any of the claims of the '459 Patent listed below are invalid as obvious?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 14: _____

Claim 15: _____

Claim 16: _____

Claim 17: _____

3. Did Tellabs prove by clear and convincing evidence that any of the claims of the '459 Patent listed below are invalid as failing to meet the enablement requirement?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 14: _____

Claim 15: _____

Claim 16: _____

Claim 17: _____

4. Did Tellabs prove by clear and convincing evidence that any of the claims of the '459 Patent listed below are invalid as failing to meet the written description requirement?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 14: _____

Claim 15: _____

Claim 16: _____

Claim 17: _____

5. If you have found claim any claim of the '459 patent has been infringed by Tellabs and is not invalid, what damages do you find Cheetah has proven it is more probable than not it has suffered as a result of that infringement?

Answer: \$ _____

Rate: _____

6. Did Cheetah prove by a preponderance of the evidence that Tellabs infringed any of the asserted claims of the '647 Patent listed below?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 9: _____

Claim 15: _____

Claim 16: _____

Claim 20: _____

Claim 22: _____

Claim 24: _____

Claim 26: _____

7. Did Tellabs prove by clear and convincing evidence that any of the claims of the '647 Patent listed below are invalid as anticipated?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 9: _____

Claim 15: _____

Claim 16: _____

Claim 20: _____

Claim 22: _____

Claim 24: _____

Claim 26: _____

8. Did Tellabs prove by clear and convincing evidence that any of the claims of the ‘647 Patent listed below are invalid as obvious?

Answer “Yes” or “No” for each listed claim:

Claim 1: _____

Claim 9: _____

Claim 15: _____

Claim 16: _____

Claim 20: _____

Claim 22: _____

Claim 24: _____

Claim 26: _____

9. Did Tellabs prove by clear and convincing evidence that any of the claims of the ‘647 Patent listed below are invalid as failing to meet the enablement requirement?

Answer “Yes” or “No” for each listed claim:

Claim 1: _____

Claim 14: _____

Claim 15: _____

Claim 16: _____

Claim 17: _____

10. Did Tellabs prove by clear and convincing evidence that any of the claims of the '647 Patent listed below are invalid as failing to meet the written description requirement?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 9: _____

Claim 15: _____

Claim 16: _____

Claim 20: _____

Claim 22: _____

Claim 24: _____

Claim 26: _____

11. If you have found claim any claim of the '647 patent has been infringed by

Tellabs and is not invalid, what damages do you find Cheetah has proven it is more probable than not it has suffered as a result of that infringement?

Answer: \$ _____

Rate: _____

12. Did Cheetah prove by a preponderance of the evidence that Fujitsu infringed any of the asserted claims of the '771 Patent listed below?

Answer "Yes" or "No" for each listed claim:

Claim 12: _____

Claim 13: _____

Claim 14: _____

13. Did Fujitsu prove by clear and convincing evidence that any of the claims of the '771 Patent listed below are invalid as anticipated?

Answer "Yes" or "No" for each listed claim:

Claim 12: _____

Claim 13: _____

Claim 14: _____

14. Did Fujitsu prove by clear and convincing evidence that any of the claims of the

‘771 Patent listed below are invalid as obvious?

Answer “Yes” or “No” for each listed claim:

Claim 12: _____

Claim 13: _____

Claim 14: _____

15. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘771 Patent listed below are invalid as failing to meet the enablement requirement?

Answer “Yes” or “No” for each listed claim:

Claim 12: _____

Claim 13: _____

Claim 14: _____

16. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘771 Patent listed below are invalid as failing to meet the written description requirement?

Answer “Yes” or “No” for each listed claim:

Claim 12: _____

Claim 13: _____

Claim 14: _____

17. If you have found claim any claim of the '771 patent has been infringed by Fujitsu and is not invalid, what damages do you find Cheetah has proven it is more probable than not it has suffered as a result of that infringement?

Answer: \$ _____

Rate: _____

18. Did Cheetah prove by a preponderance of the evidence that Fujitsu infringed any of the asserted claims of the '862 Patent listed below?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 2: _____

Claim 3: _____

Claim 4: _____

Claim 5: _____

Claim 7: _____

Claim 20: _____

Claim 26: _____

19. Did Fujitsu prove by clear and convincing evidence that any of the claims of the '862 Patent listed below are invalid as anticipated?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 2: _____

Claim 3: _____

Claim 4: _____

Claim 5: _____

Claim 7: _____

Claim 20: _____

20. Did Fujitsu prove by clear and convincing evidence that any of the claims of the '862 Patent listed below are invalid as obvious?

Answer "Yes" or "No" for each listed claim:

Claim 1: _____

Claim 2: _____

Claim 3: _____

Claim 4: _____

Claim 5: _____

Claim 7: _____

Claim 20: _____

21. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘862 Patent listed below are invalid as failing to meet the enablement requirement?

Answer “Yes” or “No” for each listed claim:

Claim 1: _____

Claim 2: _____

Claim 3: _____

Claim 4: _____

Claim 5: _____

Claim 7: _____

Claim 20: _____

22. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘862 Patent listed below are invalid as failing to meet the written description requirement?

Answer “Yes” or “No” for each listed claim:

Claim 1: _____

Claim 2: _____

Claim 3: _____

Claim 4: _____

Claim 5: _____

Claim 7: _____

Claim 20: _____

23. If you have found claim any claim of the ‘862 patent has been infringed by Fujitsu and is not invalid, what damages do you find Cheetah has proven it is more probable than not it has suffered as a result of that infringement?

Answer: \$ _____

Rate: _____

24. Did Cheetah prove by a preponderance of the evidence that Fujitsu infringed any of the asserted claims of the ‘714 Patent listed below?

Answer “Yes” or “No” for each listed claim:

Claim 5: _____

Claim 19: _____

25. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘714 Patent listed below are invalid as anticipated?

Answer “Yes” or “No” for each listed claim:

Claim 5: _____

Claim 19: _____

26. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘714 Patent listed below are invalid as obvious?

Answer “Yes” or “No” for each listed claim:

Claim 5: _____

Claim 19: _____

27. Did Fujitsu prove by clear and convincing evidence that any of the claims of the ‘714 Patent listed below are invalid as failing to meet the enablement requirement?

Answer “Yes” or “No” for each listed claim:

Claim 5: _____

Claim 19: _____

27. Did Fujitsu prove by clear and convincing evidence that any of the claims of the

'714 Patent listed below are invalid as failing to meet the written description requirement?

Answer "Yes" or "No" for each listed claim:

Claim 5: _____

Claim 19: _____

28. If you have found claim any claim of the '714 patent has been infringed by Fujitsu and is not invalid, what damages do you find Cheetah has proven it is more probable than not it has suffered as a result of that infringement?

Answer: \$ _____

Rate: _____

DATE

FOREPERSON